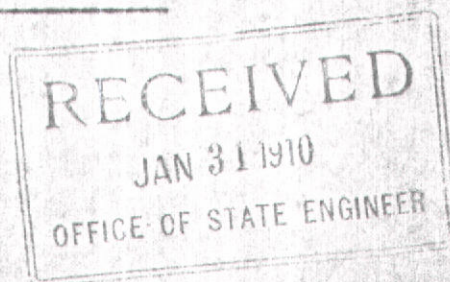


In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.



S. C. Frost, et al.,

Plaintiffs,

vs.

Alturas Water Company, et al.,

Defendants.

DECREE.

This cause coming on to be heard this 6th day of October, 1909, upon the Report of E. J. Cowen, Referee heretofore appointed for the purpose of taking the testimony and making recommendations as to Findings of Fact, Conclusions of Law and Decree, to be entered herein, and the said E. J. Cowen having filed his Report of the testimony taken, and his recommendations as to Findings of Fact, Conclusions of Law, which have heretofore been adopted, and the respective plaintiffs and defendants and cross-complainants appearing herein by their respective counsel, and the court being fully informed and advised in the premises, and having orders that judgment be entered in accordance with the Report and recommendations of the said Referee, Wherefore, by reason of the law and the Report and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plaintiffs and defendants herein named, do have judgment respectively for a

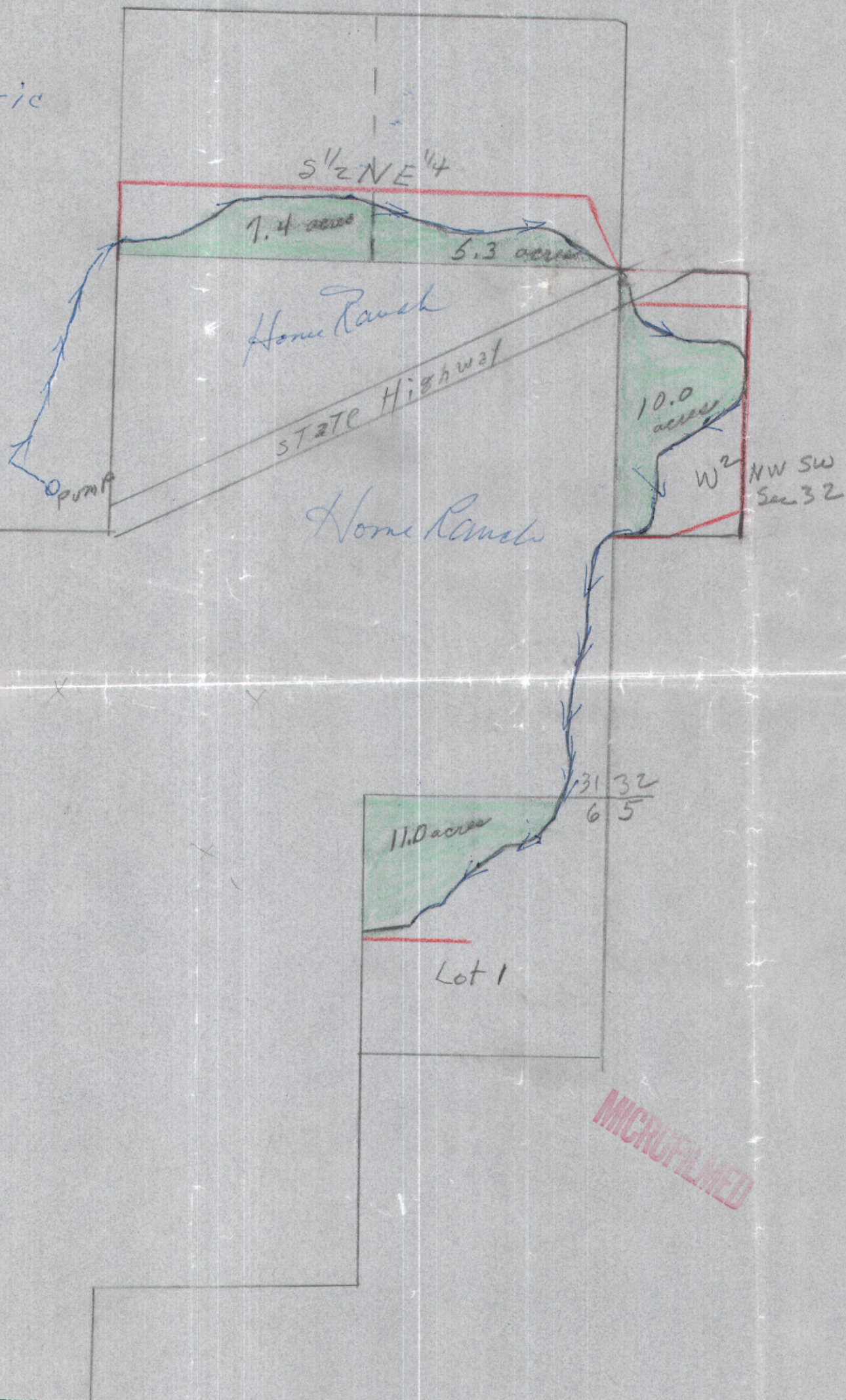
MICROFILMED

✓ Lakes, Harold and Arthur, Jr.	200 inches.	126	Nov. 26, 1886.	Big Wood River.
Lane, Jennie	160	"	189 Oct. 28, 1891.	Little Wood River.
Lawrence, Frank N.	60	"	257 June 1, 1898.	Soldier Creek. ✓
Lawson, Martin	15	"	✓ Aug. 1, 1880.	Little Wood River.
" "	80	"	✓ Apr. 1, 1881.	" " "
37 0407 Lawson, M. S.	100	"	1885 May 31, 1886.	Order - 2-20-14 Silver Creek. Trans # 1023
" " "	50	"	196 Oct. 25, 1892.	" " Trans # 1023
Lemman, E. B.	160	"	377 Apr. 1, 1907.	Three Mile Creek or Four Mile Creek. Trans # 599
Leonard, William	12-1/2	"	187 May 9, 1883.	Deer Creek.
" "	70	"	44 May 15, 1883.	" "
" "	150	"	167 July 5, 1884.	" " 825
" "	100	"	104 June 15, 1885.	" " } 3
" "	100	"	207 July 1, 1893.	" " }
✓ Lewis, Horace C.	1250	"	✓ Apr. 25, 1881.	Trail Creek.
✓ " " "	325	"	✓ Oct. 5, 1883.	" "
✓ " " "	200	"	✓ Oct. 5, 1883.	" " (For pipe-line.)
Trans 1032 ✓ " " "	200	"	157 June 23, 1888.	Warm Springs Creek.
✓ " " " transferred	100	"	162 Aug. 2, 1889.	" " "
✓ Little, John H.	160	"	172 Oct. 31, 1889.	Big Wood River.
Little Wood River Canal Company	1600	"	200 Apr. 15, 1893.	Little Wood River. } 1d
Do.	8400	"	247 Sept. 2, 1899.	" " "
Little Wood River Swine Raising Co.	15	"	48 Apr. 1, 1883.	" " "
Do.	110	"	64 Apr. 1, 1884.	" " "
Do.	110	"	129 Apr. 1, 1887.	" " #719-
37 0426 Lloyd, Bruce	125	"	149 Apr. 1, 1887.	Silver Creek. #900
37 0427 Logan, James	150	"	700 Dec. 18, 1903.	Big Wood River.
37 0428 Loving, Henry	40	"	104 June 1, 1889.	Butte Creek.
37 0429 Loving, John T.	160	"	475 Oct. 31, 1889.	Big Wood River.
37 0430 Lumb, John	160	"	277 June 1, 1902.	" " "

— Fences

○ Pump Electric

~~727~~ Dittakes



TRANSFER NO.	NAME	AMOUNT C.F.S.	BALANCE C.F.S.	RIGHT NO.
	~~Lawson, M. S.~~	~~2.0~~		~~37-0407~~
~~1023~~	~~Baldwin, Donnie & Wayne~~	~~2.0~~	~~0~~	~~37-0407~~
2336	Flood, John	2.0		37-0407

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Transfer No. 2336

Application No. 100

37-0407/0408/0693

APPROVED

STATE OF IDAHO
DEPARTMENT OF WATER RESOURCES
APPLICATION FOR TRANSFER OF WATER RIGHT

To Change the Point of Diversion and/or the Place of Use

Name of applicant John Flood Phone 788-2357

Post office address Queen's Crown Ranch, P.O. Box 317, Picabo, Idaho, 83348

A. DESCRIPTION OF RIGHT AS RECORDED

1. Right evidenced by:

(SEE ATTACHED SUPPLEMENTAL SHEETS)

a. Decree to _____ (SEE ATTACHED SUPPLEMENTAL SHEETS)
(Name)
in case of _____ vs _____

dated _____ in _____ county of _____
(Name of court)

b. License No. _____ issued by the Idaho Department of Water Resources

c. Claim No. _____ on file with the Idaho Department of Water Resources

2. If applicant is not the original holder of this right, explain how it was acquired and attach a copy of the deed or other evidence of ownership of the land to which the right is appurtenant

THRU PURCHASE OF LAND

3. Source of water Silver Creek & Trib. tributary to Little Wood River

4. Date of priority 2008-01-22

5. Water is used for the following purposes:

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

amount _____ for _____ purposes from _____ to _____

(month/day – both dates inclusive)

6. Total amount of water under right: a. _____ cubic feet per second
b. _____ &/or
acre feet per annum

7. Location of original point of diversion is SE ¼ of SE ¼ of Section 35

Township 1S Range 20E, B.M., in Blaine County

Additional points of diversion, if any Right C diverted in E $\frac{1}{2}$ NE $\frac{1}{4}$ of Sec. 21, T1S, R19E, B.M.

* As described on Transfers

8. Lands irrigated or place of use:

[illegible]

Total number of acres to be irrigated

B. DESCRIPTION OF PORTION OF RIGHT FOR WHICH THE CHANGE IS REQUESTED (If the entire right is requested changed, omit part B)

1. Amount of water: a. _____ cubic feet per second
&/or
b. _____ acre feet per annum
2. Point of diversion _____ ¼ _____ ¼, Section _____ Township _____
Range _____, B.M., _____ County _____
Additional points _____
3. Place of use: _____

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

C. DESCRIPTION OF RIGHT OR PORTION THEREOF, AFTER THE REQUESTED CHANGE

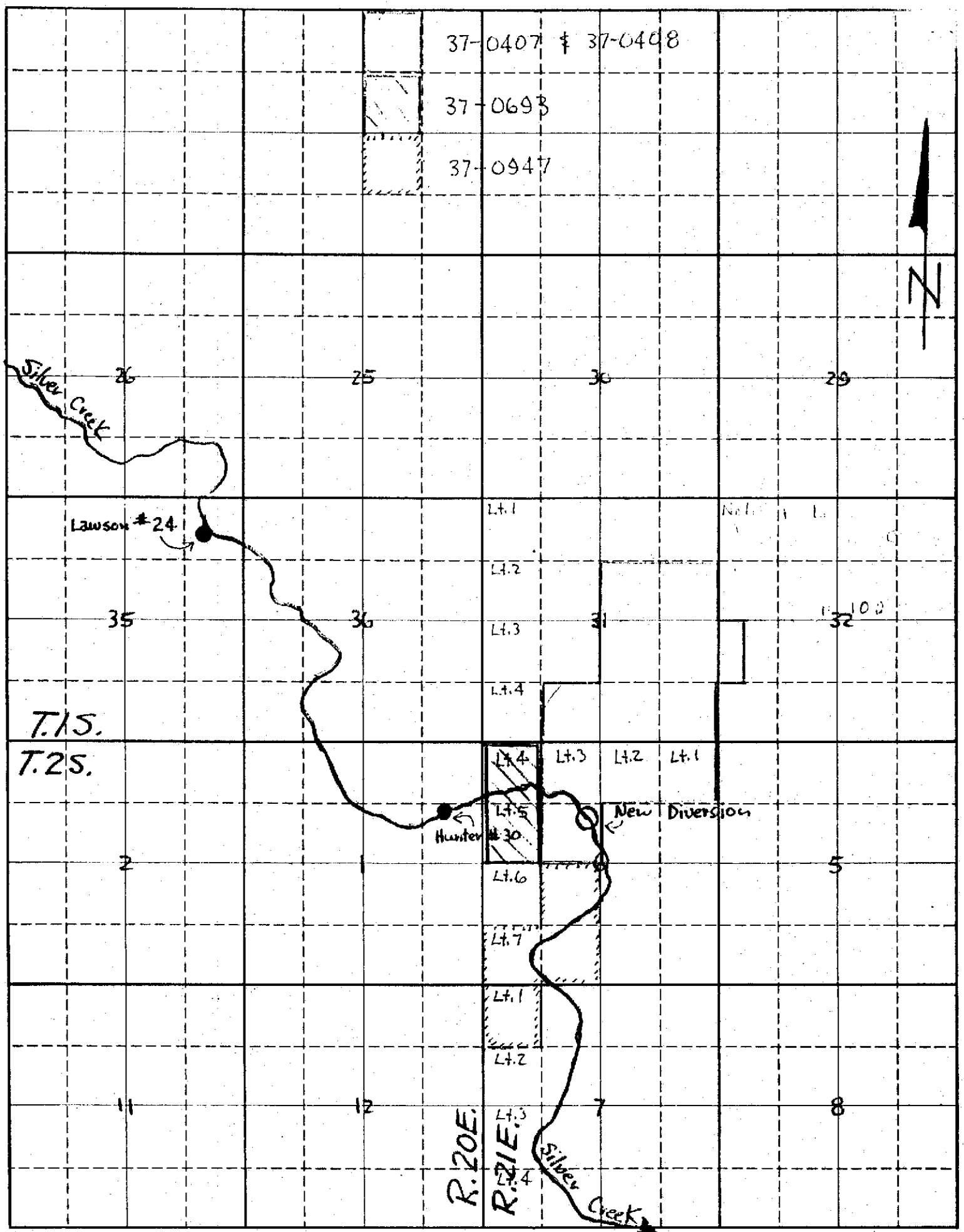
1. Change in point of diversion
a. Amount of water to be diverted A= 2.0
B= 1.0 C= 1.0 D= 2.22* c.f.s. &/or _____ acre feet
* Subject to transmission loss
b. Point(s) of diversion SE ¼ NW ¼ (Proposed Diversion) Township 2S
Range 21E, B.M., Blaine County
Additional points Existing diversion at Lawson #24 (NE¼NE¼ of Sec. 35, T1S, R20E, B.M.)
Existing diversion at Hunter #30 (SE¼NE¼ of Sec. 1, T2S, R20E, B.M.)
- c. Description of diverting works Old head gates in stream with the addition of a
pump at the new point of diversion delivering to a sprinkler system.
- d. Describe the reasons for applying for a change in the point(s) of diversion
Allow for use of pump in stream to divert to proposed sprinkler system.

2. Change in place of use

- a. Describe the lands or place of use to which the right will be transferred:

TWP.	RANGE	SEC.	NE¼				NW¼				SW¼				SE¼				TOTALS
			NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	NE¼	NW¼	SW¼	SE¼	

- b. Draw a map indicating the new point(s) of diversion and/or the new land. Show clearly the land involved by section, township and range number.



SCALE: 2 inches equal 1 mile. Draw plan in ink.

3. Remarks

These rights are presently being delivered to the Lawson #24 and Hunter #30 headgates and have been for several years.

I hereby assert that no one will be injured by such change and the change does not constitute an enlargement in use of the original right. The information contained in this application is true to the best of my knowledge.

John D. Flood
(Signature of applicant)

Subscribed and sworn to before me this 24th day of July, 19 79.

Wm. J. Lammers
(Notary public)

My commission expires 7/1/80

ACTION OF THE DIRECTOR, DEPARTMENT OF WATER RESOURCES

This is to certify that I have examined Application for Transfer of Water Rights No. 37-0407/0408/0693 and said application is hereby approved, subject to the following limitations and conditions:

(1) Use of water under this Right is subject to control by the watermaster of State Water District No. 37-M, Little Wood River. (2) A measuring device of a type approved by this Department shall be permanently installed and maintained as part of the diverting works.

Witness my hand this 7th day of December, 19 79.

Norman C. Young
NORMAN C. YOUNG
Administrator, Resources Admin. Div.

FOR DEPARTMENT USE ONLY

Received by ADD Date 8/2/79

Prelim. check by P Fee 35⁰⁰

Receipted by marcy Date 8/2/79 # 13581

Published in Wood River Journal

Pub. dates 8/31 & 9/6/79

Watermaster recommendation requested on 8/22/79

rec'd. 6/28/79

Protest filed by Shea Knapp (Robert Allen)

aris graham - with team

Copies of protest forwarded by _____

Hearing held by _____ Date _____

Recommended for approval denial

by Jim

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Certificate of Decreed Water Right
Transferred Right No. 1023

THIS IS TO CERTIFY, That Donnie D. Baldwin and Wayne Baldwin, of Picabo, Idaho, are the owners of and using a certain water right bearing date of May 31, 1885, for two cubic feet per second, and bearing date of October 25, 1892, for one cubic foot per second, of the waters of Silver Creek, County of Blaine, State of Idaho, decreed to M. S. Lawson, by decree of Judge Alfred Budge of the Fourth Judicial District of the State of Idaho, in and for the County of Lincoln, in the case of

S. C. FROST, et al

Plaintiffs

vs.

ALTURAS WATER COMPANY, et al

Defendants

said decree bearing date of December 13, 1909, and being appurtenant to the following described lands, to-wit:

E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6,
Township 2 South, Range 21,
E. B. M.;
SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31,
Township 1 South, Range 21,
E. B. M., and 80 acres un-
surveyed land North of above;

That said decree has been entered in the records of the Department of Reclamation of the State of Idaho, in Volume 3 of Decrees at Page 749;

That Donnie D. Baldwin and Wayne Baldwin have become the owners of said water right by purchase;

And that now, upon the application of Donnie D. Baldwin and Wayne Baldwin for a transfer of three cubic feet per second of said water, made before the State Reclamation of the State of Idaho, and said application having been granted, the right to the use of three cubic feet per second of the waters of Silver Creek upon the above described lands is hereby abandoned, and the lands under such right, and to which the water right HEREBY CONFIRMED shall become appurtenant by this Certificate for irrigation purposes, are described as follows, to-wit:

E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Section 6, Township 2 South,
Range 21 E.B.M.; SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Section 31,
Township 1 South, Range 21, E.B.M., and 80
acres unsurveyed land North of above;
S $\frac{1}{2}$ NE $\frac{1}{4}$, Section 31, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Section 32,
Township 1 South, Range 21 E.B.M., Lot 1 of
Section 6, Township 2 South, Range 21 E.B.M.;

That the said water is to be limited at any given time to an amount actually needed and beneficially used for such purpose, and shall not exceed the following, to-wit:

Two cubic feet per second, bearing date of priority of May 31, 1885; and one cubic foot per second, bearing date of priority of October 25, 1892;

That the water right hereby transferred has heretofore been conducted from Silver Creek to the first above described lands through an irrigation ditch, with point of diversion in the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 1 South, Range 20 E.B.M.;

That the water right hereby transferred will hereafter be conducted to the last above described lands, with no change in point of diversion;

That the right to the use of the waters aforesaid, hereby confirmed, is restricted to the lands last above described, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed at Boise, Idaho, this 18th day of December, 1963.

s/ CARL E. TAPPAN

(SEAL)

CARL E. TAPPAN
State Reclamation Engineer

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

In the Matter of the Application of

Donnie D. Baldwin and Wayne Baldwin
of

Picabo, Idaho

For a Transfer of Water Right in the
County of Blaine, State of Idaho

ORDER GRANTING TRANSFER

NO. 1023

WHEREAS, On the 29th day of November, 1963, at the Department of Reclamation of the State of Idaho, at Boise, Idaho, this matter of the application of Donnie D. Baldwin and Wayne Baldwin, of Picabo, Idaho, for a transfer of water right came on regularly for hearing, pursuant to the published notice in due and statutory form, and;

WHEREAS, No protest has been filed against the application, and the evidence filed by the applicant, with the application, shows that the water will be put to a higher and more efficient beneficial use and no one will be injured thereby.

NOW, THEREFORE, IT IS ORDERED, That the said application be, and the same is HEREBY GRANTED, and that a Certificate of Transfer be issued to the applicant herein, as provided by the laws of the State of Idaho.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the official seal of the Department of Reclamation of the State of Idaho to be hereunto affixed, at Boise, Idaho, this 18th day of December, 1963.

(SEAL)

s/ CARL E. TAPPAN

CARL E. TAPPAN
State Reclamation Engineer

In the District Court of the Fourth Judicial District
of the
State of Idaho, in and for the County of Lincoln.

S. C. Frost, et al.,

Plaintiffs,

vs.

Alturas Water Company, et al.,

Defendants.

RECEIVED

JAN 31 1910

OFFICE OF STATE ENGINEER

DECREE.

This cause coming on to be heard this 6th day of October
1909, upon the Report of E. J. Cowen, Referee heretofore appointed for
the purpose of taking the testimony and making recommendations as to Find-
ings of Fact, Conclusions of Law and Decree, to be entered herein, and the
said E. J. Cowen having filed his Report of the testimony taken, and his
recommendations as to Findings of Fact, Conclusions of Law, which have
heretofore been adopted, and the respective plaintiffs and defendants and
cross-complainants appearing herein by their respective counsel, and the
court being fully informed and advised in the premises, and having ordered
that judgment be entered in accordance with the Report and recommenda-
tions of the said Referee, Wherefore, by reason of the law and the Report
and Findings of Fact and Conclusions of Law aforesaid,

It is Ordered, Adjudged and Decreed, that the several parties, plain-
tiffs and defendants herein named, do have judgment respectively for a

✓ Lakes, Harold and Arthur, Jr.	200 inches.	Nov. 26, 1886.	Big Wood River.
Lane, Jennie	160	Oct. 28, 1891.	Little Wood River.
Lawrence, Frank N.	60	June 1, 1898.	Soldier Creek. ✓
Lawson, Martin	15	Aug. 1, 1880.	Little Wood River.
" "	80	Apr. 1, 1881.	" " "
37 6407 Lawson, H. S.	100	May 31, 1886.	Order-2-20-14 Silver Creek. Trans # 1023
" " "	50	Oct. 25, 1892.	" " Trans # 1023
Lenman, E. B.	160	Apr. 1, 1907.	Three Mile Creek or Trans # 599 Four Mile Creek.
✓ Leonard, William	12-1/2	May 9, 1883.	Deer Creek.
" "	70	May 15, 1883.	" "
" "	150	July 5, 1884.	" "
" "	100	June 15, 1885.	" "
" "	100	July 1, 1893.	" "
✓ Lewis, Horace C.	1250	Apr. 25, 1881.	Trail Creek.
✓ " "	325	Oct. 5, 1883.	" "
✓ " "	200	Oct. 5, 1883.	" "
✓ " "	200	June 23, 1888.	(For pipe-line.) Warm Springs Creek.
✓ " "	100	Aug. 2, 1889.	" " "
✓ Little, John H.	160	Oct. 31, 1889.	Big Wood River.
Little Wood River Canal Company	1600	Apr. 15, 1893.	Little Wood River.
Do.	8400	Sept. 2, 1899.	" " "
Little Wood River Swine Raising Co.	15	Apr. 1, 1883.	" " "
Do.	110	Apr. 1, 1884.	" " "
Do.	110	Apr. 1, 1887.	" " #719
37 0426 Lloyd, Bruce	125	Apr. 1, 1887.	Silver Creek. #900
37 0427 Logan, James	150	Dec. 18, 1903.	Big Wood River.
37 0428 Loving, Henry	40	June 1, 1889.	Butte Creek.
37 0429 Loving, John T.	160	Oct. 31, 1889.	Big Wood River.
37 0430 Lumb, John	160	June 1, 1902.	" " "

FROM

DATE

TO

SUBJECT

For original correspondence relating
to this file see # 37-0947

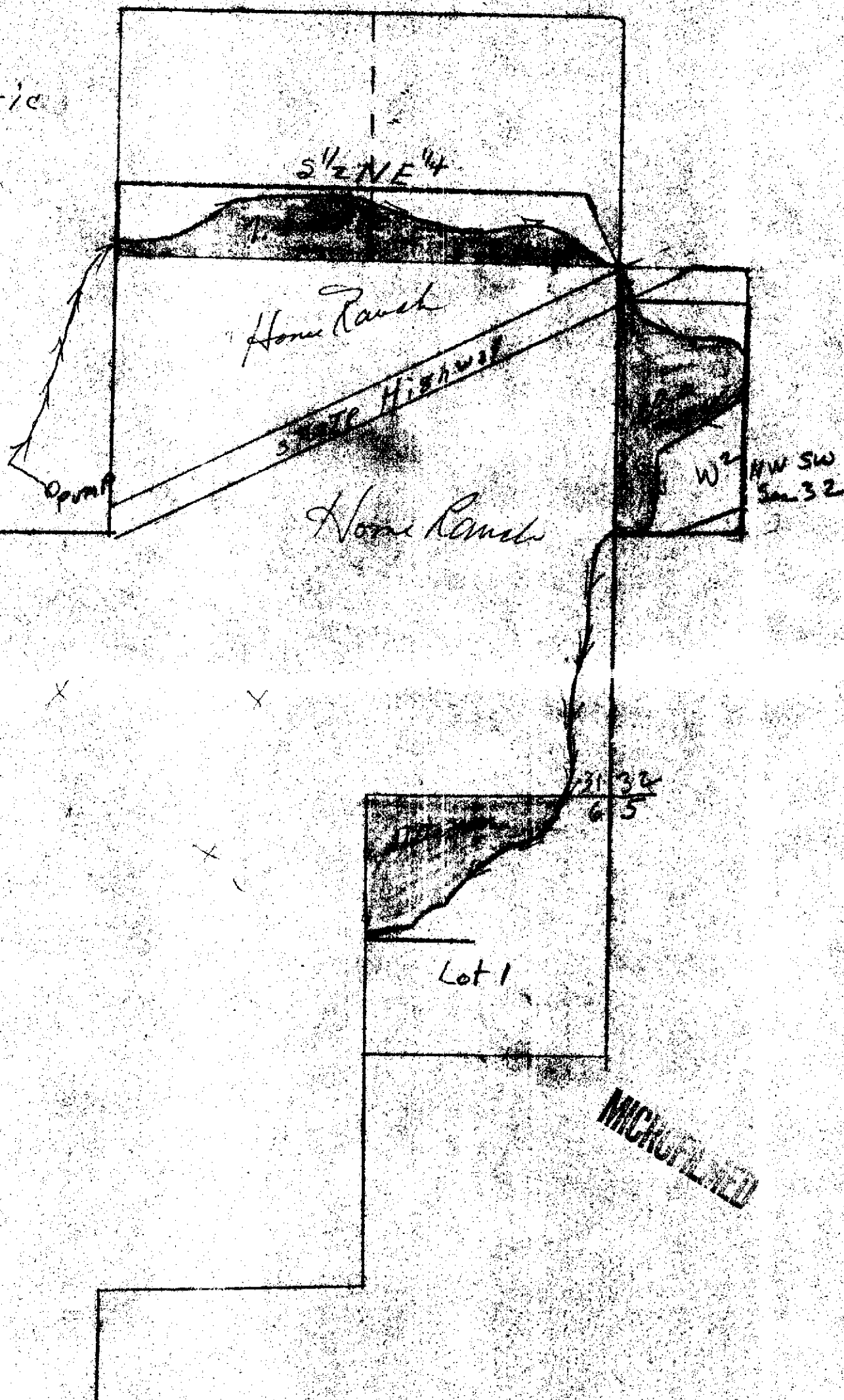

SIGNATURE

33.7 acres Total

— Fences

○ PUMP Electric

~~--- Ditches~~



NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that Donnie D. Baldwin and Wayne Baldwin of Picabo, Idaho have applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Silver Creek as follows:

Amount: 2 cubic feet per second. Priority: May 31, 1885, 1 cubic foot per second. Priority: October 25, 1892.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 1 S. Range 20 E., B. M.

Places of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E.B.M.; SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 1 S., Rge. 21 E. B. M. and 80 acres unsurveyed land North of above.

To Be Transferred To

Place of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ -NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E. B. M., SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 1 S., Rge. 21 E. B. M., and 80 acres unsurveyed land North of above; S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 1 S., Rge. 21 E. B. M.; Lot 1 of Sec. 6, Twp. 2 S., Rge. 21 E. B. M.

And that on the 29th day of November, 1963, at 10:00 o'clock A. M., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN

State Reclamation Engineer

Pub: 11/14-21c

PROBATE SALE OF

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that ^{Baldwin} Rennie D. & Thayne Baldwin of Boise, Idaho ^{have} ~~has~~ applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the ~~point of diversion~~ ~~place~~ place of use of the waters of Silver Creek as follows:

Amount: 2 cubic feet per second. Priority: May 31, 1885; and
1 cfs, priority October 25, 1892.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 1 S., Range 20 E., B.M.

Place of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E.B.M., SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 1 S., Rge. 21 E.B.M., + 80 acres unsurveyed land North of above.

To Be Transferred To

~~Point of diversion:~~ $\frac{1}{4}$ $\frac{1}{4}$, Section , Township , Range B. M.

Place of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E.B.M., SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 1 S., Rge. 21 E.B.M., and 80 acres unsurveyed land North of above; S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 1 S., Rge. 21 E.B.M.; Lot 1 of Sec. 6, Twp. 2 S., Rge. 21 E.B.M.

And that on the 29th day of November, 19 63, at 10:00 o'clock A. M., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer

ORIGINAL

24

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that Donnie D. Baldwin and Wayne Baldwin of Picabo, Idaho have applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Silver Creek as follows:

Amount: 2 cubic feet per second. Priority: May 31, 1885, 1 cubic foot per second. Priority: October 25, 1892.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 1 S. Range 20 E., B. M.

Places of Use: E $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E.B.M.; SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 1 S., Rge. 21 E. B. M. and 80 acres unsurveyed land North of above.

To Be Transferred To

Place of Use: E $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E. B. M., SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 1 S., Rge. 21 E. B. M., and 80 acres unsurveyed land North of above; S $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 31, W $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 1 S., Rge. 21 E. B. M.; Lot 1 of Sec. 6, Twp. 2 S., Rge. 21 E. B. M.

And that on the 29th day of November, 1963, at 10:00 o'clock A. M., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN

State Reclamation Engineer
Pub: 11/14-21c

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

November 6, 1963

Water Right
Wayne Baldwin

You will find notice for publication, once a week for

six weeks prior to November 29, 1963 the date set

expense of the publication is to be paid by the appli-

Wayne Baldwin of Picabo, Idaho

furnish proof of publication on or prior to the date

acknowledge receipt of this notice and furnish this office

first sheet of the first publication.**

Very truly yours,

s/

CARL E. TAPPAN

State Reclamation Engineer

~~xxx~~

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

STATE OF IDAHO

DEPARTMENT OF RECLAMATION

Boise, Idaho

November 6, 1963

Re: Transfer of Water Right
Donnie D. and Wayne Baldwin

The Hailey Times,
Hailey, Idaho.

Gentlemen:

Enclosed you will find notice for publication, once a week for two consecutive weeks prior to **November 29, 1963** the date set for hearing; the expense of the publication is to be paid by the applicant **Donnie D. & Wayne Baldwin** of **Picabo, Idaho** to whom you should furnish proof of publication on or prior to the date set for hearing.

Please acknowledge receipt of this notice and furnish this office with a copy or tear-sheet of the first publication.**

Very truly yours,
s/ CARL E. TAPPAN
State Reclamation Engineer
~~xyx~~

** If the first copy is not received in this office for checking purposes and errors appear in subsequent issues, it is possible that re-publication of corrected copy will be at your own expense.

Encl.

NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

Notice is hereby given that Donnie D. Baldwin and Wayne Baldwin of
Picabo, Idaho ~~have~~ have applied to the State Reclamation Engineer of the
State of Idaho for a certificate authorizing them to change the ~~point of diversion~~
~~and/or~~ place of use of the waters of Silver Creek as follows:
Amount, 2 cubic feet per second. Priority: May 31, 1885,
1 cubic feet per second. Priority: October 25, 1892
Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 1 S., Range 20 E., B.M.
Place of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E.B.M., SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 31, Twp. 1 S., Rge. 21 E.B.M. and 80 acres unsurveyed land North of above.

To Be Transferred To

~~Point of diversion: xxxxxxxxxx, Section xxxxxx, Township xxxxxxxx, Range xxxxxxxx, B.M. xxxxxx~~
Place of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E.B.M., SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
Sec. 31, Twp. 1 S., Rge. 21 E.B.M., and 80 acres unsurveyed land North of above;
S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 1 S., Rge. 21 E.B.M.; Lot 1 of Sec. 6,
Twp. 2 S., Rge. 21 E.B.M.

And that on the 29th day of November, 1963, at 10:00 o'clock A.M.,
at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer,
or his authorized agent, the opportunity will be given to any and all persons to
appear and present, for his consideration any reason or reasons why a certificate
should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer

RECEIVED
OCT 17 1963
STATE ENGINEER
BOISE, IDAHO

Application For Transfer of Water Right

STATE OF IDAHO

County of BLAINE

} ss.

Donnie D. Baldwin & Wayne Baldwin, being first duly sworn, deposes and says:

That his name is Donnie D. Baldwin & Wayne Baldwin that he is of lawful age, a citizen of the United States and of the State of Idaho, and that his postoffice address is

Baldwin Brothers, Picabo, Idaho

That he is the owner and using a certain water right, bearing date of priority of May 31, 1885 for 2 cubic feet per second of the waters of Silver Creek

County of Blaine, State of Idaho, decreed to M. S. Lawson and 10-25-92 for one cubic ft. per second of water of Silver Creek decreed M. S. Lawson by decree of Judge Robert Rudge of the 4th Judicial District of the State of

Idaho, in and for the county of Lincoln, in the case of S. C. Frost, et al vs. Alturas Water Co., et al, said decree bearing date of Dec. 13, 1909

(or obtained by virtue of License No. _____, issued by the State Department of Reclamation of the State of Idaho, dated _____, 19____, bearing date of _____, 19____)

for the purpose of irrigating the following described lands situate, lying and being in Water District

No. _____ in the County of Blaine and State of Idaho, to-wit:

E½NW¼, NW¼NE¼ Sec. 6 T. 2 S., R. 21 E. B. M.; SW¼SE¼, SE¼SW¼ Sec 31, T. 1 S., R. 21 E. B. M. and 80 acres unsurveyed land North of above.

_____ and is the person (or representative of the corporation) to whom such right so issued, or has become the owner thereof in the following manner, i.e. by acquisition of the land to which the water is appurtenant

as per abstract of title of said water right hereto attached and made a part of this statement;

That said waters are now diverted from said stream in the SE¼SE¼ of Section 35, Township 1 S., Range 20 E., B. M., and conducted to the above described lands through irrigation ditch as per map herewith and of this affidavit made a part.

CHANGE IN PLACE OF USE

That affiant and petitioner desires to ~~abandon~~ the use of 3 cubic feet per second of said water upon the above described land, and to convey and use same upon the following tract, situate, lying and being in the County of Blaine and State of Idaho, to-wit:

Affiants desire to use the above described waters upon S½NE¼ Sec 31, W½NW¼SW¼ Sec. 32, T. 1 S., R. 21 E.; Lot 1 of Sec. 6, T2 S., R. 21 E., part of the time and part of the time on the lands first above described.

That reasons for desiring to make such transfer are as follows: By careful usage and rotation the lands last above described located below the ditch may be made productive. It is intended to make the waters appurtenant to these lands as well as the lands first above described.

RECORDED

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R. 4

That he intends to divert and convey said 3 second feet of water to the tract of land last above described in the following manner and as per map accompanying this application:

The place of diversion is not to be changed. The water is to be pumped from the existing ditch into a new extension ditch which latter will then serve the new lands by gravity irrigation

Note—If this water right has heretofore been carried jointly in a ditch with other water, affiant should secure written consent of other owners or users to removal from its original carrier and file such consent with this affidavit.

CHANGE IN POINT OF DIVERSION

That affiant desires to change the point of diversion of said waters from the point above described to a point located in 1/4 of 1/4 of Section , Township , Range , and thereafter conduct same to the above described land through the ditch, as per map appended.

That his reasons for desiring to make such change are as follows:

No change in point of diversion

Petitioner asserts that no one will be injured by such transfer, or change in point of diversion, and that the change will be made at petitioner's own risk.

WHEREFORE, Affiant and Petitioner prays that the State Reclamation Engineer of the State of Idaho issue to him the proper certificate authorizing such change in point of diversion and/or place of use, in accordance with the provisions of Sections 42-108 and 42-222 of the Idaho Code.

Donnie A. Baldwin

Applicant.

Subscribed and sworn to before me this 30th day of October, 19 63

Lester Baldwin

Notary Public.

My Commission expires Jan. 17th, 1965

APPLICANT WILL ANSWER THE FOLLOWING QUESTIONS:

From what stream is the water diverted? Silver Creek

Where is the diversion point located?

Through what ditch is it now conducted? Private ditch

How much land is now irrigated by the water sought to be transferred? 280 acres by this and other wat

Give the description: lands first above described

What is the total amount of water in inches, or second feet, dedicated to said land? 382 miners inches

What kind of crops are being raised? hay, grain, pasture and potatoes from 1 inch per acre to 1 1/2

How much water per acre is now required to irrigate said land? inches per acre

What will be the effect on the land now irrigated, if the use of water on it is discontinued?

By proper rotation it produce approximately the same as before.

Give location of new point of diversion, if change is to be made No change

X Through what ditch will it be conducted after transfer? extension of same ditch

How much water will be required per acre to irrigate the land to which this water is transferred?

from 1 inch to 1 1/2 inches per acre

Do you claim any other water right for the land from which you seek to abandon the use of this water?

If so, give amount, date and source 50" 5-1-1889, 111" F, G & H Drains, 77" Artesian well. first 50" from Silver Creek

Is there any other water right for the land to which you seek to make this transfer? If so, give amount,

date and source None

Signed Donnie D. Baldwin
Applicant.

STATE OF IDAHO,

County of Lincoln ss.

I, Reid J. Newby, Watermaster of Water District 11 AB

Water District No. 11 AB, County of Blaine & Lincoln, State of Idaho, whose postoffice address is Box 573 Shoshone, have read or heard read the foregoing affidavit and petition

of Donnie D. Baldwin, and, of my own knowledge, believe the same to be true as to all matters therein alleged, and that no one will be injured by the transfer prayed to be authorized; and I hereby endorse my approval of said petition, and request that the State Reclamation Engineer issue the certificate of transfer as petitioned; or (do not approve of the issuance of the certificate of transfer prayed for) for the following reasons:

Dated at Shoshone, Idaho, this 5 day of Nov., 1963. Watermaster, District No. 11 AB

Notary Public, Shoshone, Idaho.

Comm. Exp 6/5/66

Name of Applicant Donnie S. Baldwin

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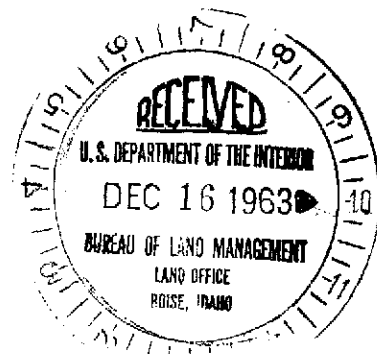
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NOTICE OF PROPOSED TRANSFER OF WATER RIGHT

NOTICE IS HEREBY GIVEN that Donnie D. Baldwin and Wayne Baldwin of Picabo, Idaho have applied to the State Reclamation Engineer of the State of Idaho for a certificate authorizing them to change the place of use of the waters of Silver Creek as follows:

Amount: 2 cubic feet per second. Priority: May 31, 1885, 1 cubic foot per second. Priority: October 25, 1892.

Point of diversion: SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 35, Township 1 S. Range 20 E., B. M.

Places of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E.B.M.; SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 1 S., Rge. 21 E. B. M. and 80 acres unsurveyed land North of above.

To Be Transferred To

Place of Use: E $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$, Sec. 6, Twp. 2 S., Rge. 21 E. B. M., SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 31, Twp. 1 S., Rge. 21 E. B. M., and 80 acres unsurveyed land North of above; S $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 31, W $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, Twp. 1 S., Rge. 21 E. B. M.; Lot 1 of Sec. 6, Twp. 2 S., Rge. 21 E. B. M.

And that on the 29th day of November, 1963, at 10:00 o'clock A. M., at Room 107 Statehouse, Boise, Idaho, before the State Reclamation Engineer, or his authorized agent, the opportunity will be given to any and all persons to appear and present, for his consideration any reason or reasons why a certificate should not be issued authorizing such transfer.

CARL E. TAPPAN
State Reclamation Engineer
Pub: 11/14-21c

Affidavit of Publication

STATE OF IDAHO, } ss.
County of Blaine,

BERWYN BURKE, being first duly sworn deposes and says that he is now and at all times herein mentioned has been the publisher of The Hailey Times, which is now, and at all times herein mentioned has been a newspaper as defined in Section 58-106 of the Idaho Code Annotated as amended by Chapter 38 of the Laws of 1939, and printed, regularly issued and published weekly at Hailey, in Blaine County, Idaho, and having a general circulation in said county, and not less than 200 bona fide subscribers living within said county, and that said newspaper has been continuously and uninterruptedly so printed and published as a weekly newspaper in said county during the period of 78 consecutive weeks prior to the first publication of the annexed true copy and at all times since, and that said annexed true copy was so published in the regular edition of said newspaper, The Hailey

Times, and not in any supplement thereof, for two consecutive weeks commencing with the first publication thereof on the fourteenth day of November, 1963 and ending with the last publication thereof on the

twenty-first day of November, 1963

Cost of this publication is \$12.00

Berwyn Burke
BERWYN BURKE, Publisher.

Subscribed and sworn to before me, this 22nd day of November, 1963.

R. T. McCarty
Notary Public for Idaho
Residing at Hailey,
Blaine County, Idaho.

- Advertising Results
- Commercial Printing
- Office Equipment
- Business Supplies
- Creative Promotions
- Newspaper Publishers

STATEMENT

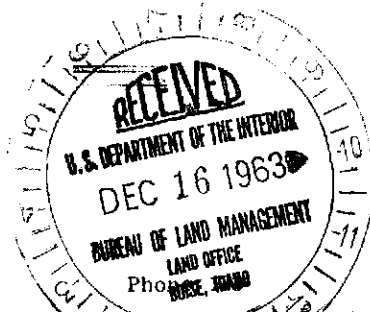
The HAILEY TIMES

HAILEY, IDAHO

"It's Our Business To Help Your Business"

Hailey, Idaho Nov. 22, 1963

- ◆ Donnie D. Baldwin
- ◆ ~~Wayne Baldwin~~
- ◆ Picabo, Idaho



Description

Amount

NOTICE of Proposed Transfer of Water
Right....legal publication:

November 14 and Nov. 21, 1963:

Published 2 times, 50 lines-----

12.00

Please send notice of this
paid & the advertising to
Idaho Land Office
P. O. Box 2237
Boise, Idaho 83701

[Signature]
Barry
Banks

December 23, 1963

Re: Transfer of Water Right
No. 1023
Donnie D. & Wayne Baldwin

Mr. Michael T. Solan,
Land Office Manager,
Bureau of Land Management,
P. O. Box 2237,
Boise, Idaho.

Dear Mr. Solan:

We have received the Affidavit of Publication for the Donnie D. & Wayne Baldwin water right transfer.

We are enclosing a copy of the Order Granting Transfer and Certificate of Water Right No. 1023, for your records.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer
By

ROBERT W. HAMILTON

Encl. - Certificate of
Water Right No. 1023
RWH:pmk

December 18, 1963

Re: Transfer of Water Right No. 1023

Donnie D. & Wayne Baldwin,
Pitabo, Idaho.

Gentlemen:

We are enclosing Certificate of Transfer of Water Right Transferred Right No. 1023, together with Departmental Receipt No. 31987, which was issued covering payment in the amount of \$1.00 for the recording fee of the above captioned transfer.

Very truly yours,

CARL E. TAPPAN
State Reclamation Engineer

Encl. - Certificate
Receipt

CET:pmk

cc: Reid J. Newby, Watermaster
Water District No. 11-AB
Box 154
Shoshone, Idaho



UNITED STATES
DEPARTMENT OF THE INTERIOR
BUREAU OF LAND MANAGEMENT

Land Office
P. O. Box 2237
Boise, Idaho

IN REPLY REFER TO:

LO:VSS
I-013753

DEC 20 1963

Department of Reclamation
State of Idaho
Room 107
State House
Boise, Idaho

Gentlemen:

The attached publication and papers should have been sent to your office.

We would appreciate receiving a letter or some other type evidence showing that the transfer of this water right has been approved. Will you please list the description of the lands to which the water is being transferred.

Very truly yours,

Michael T. Solan
Land Office Manager

Attachments

RECEIVED
DEC 20 1963
BUREAU OF LAND MANAGEMENT
BOISE, IDAHO